

REMARKS


Claims 1-10, 12-15, 17-23, 26-33, 40 and 43-47 are currently pending. Claims 5-9 have been allowed. Claims 19, 22, 43 and 47 are canceled herewith. Claims 1-4 have been amended; no new matter has been added.

Claims 19, 22, 43 and 47 are rejected under 35 USC 112, first paragraph, as being nonenabled for a method of treating macular degeneration; bacterial meningitis or cancer in combination with gene therapy. These claims are canceled herewith, rendering the rejection moot.

Claims 1-4, 10, 12-15, 17-23, 26-33, 40 and 43-47 are rejected under 35 USC 112, second paragraph, as being indefinite. This rejection is moot with respect to canceled claims 19, 22, 43 and 47. Claims 1, 2 and 4 have been amended in accordance with the Examiner's helpful suggestions. Claim 3 has been amended for clarity and to correct a minor typographical error. Applicants assert that no new matter has been added to the instant application. Applicants expressly reserve the right to file continuation applications to the subject matter not currently being pursued.

Applicants respectfully contend that Claims 1-10, 12-15, 17-18, 20-21, 23, 26-33, 40 and 44-46 are now in condition for allowance. If a telephonic communication will advance the prosecution of the instant application, please telephone Applicants' representative indicated below. Applicants believe no additional fees are due but the Commissioner is authorized to charge any fees required in connection with this amendment to Merck Deposit Account No. 13-2755.

Respectfully submitted,

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